

**UNITED STATES DISTRICT COURT**

## DISTRICT OF NEVADA

Viet Oum,

**Plaintiff(s),**

VS.

Adam Brooks et al.,

**Defendant(s).**

Case No. 2:23-cv-00736-JAD-MDC

## **Order to Administratively Close Case**

The Court ordered the Plaintiff to: (1) show cause, in writing, regarding what steps he has taken to pay the partial filing fee, (2) pay the initial partial filing fee, or (3) file a new certified copy of the trust fund account statement. ECF No. 10. Plaintiff has not filed anything or paid the filing fee.

Since plaintiff has not commenced this action nor, the Court orders that this case be administratively closed.

## ACCORDINGLY,

IT IS ORDERED that the Clerk of Court is directed to administratively CLOSE this case.

## NOTICE

Pursuant to Local Rules IB 3-1 and IB 3-2, a party may object to orders and reports and recommendations issued by the magistrate judge. Objections must be in writing and filed with the Clerk of the Court within fourteen days. LR IB 3-1, 3-2. The Supreme Court has held that the courts of appeal may determine that an appeal has been waived due to the failure to file objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985). This circuit has also held that (1) failure to file objections within the specified time and (2) failure to properly address and brief the objectionable issues waives the right to appeal the District Court's order and/or appeal factual issues from the order of the

District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). Pursuant to LR IA 3-1, plaintiffs must immediately file written notification with the court of any change of address. The notification must include proof of service upon each opposing party's attorney, or upon the opposing party if the party is unrepresented by counsel.

**Failure to comply with this rule may result in dismissal of the action.**

IT IS SO ORDERED.

DATED this 30<sup>th</sup> day of January 2024.



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MAXIMILIANO D. COUVILLIER III  
UNITED STATES MAGISTRATE JUDGE